



Paper No. 3

LSI Logic Corporation
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M/S: D-106 Patent Department
Milpitas CA 95035

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OCT 07 2002

OFFICE OF PETITIONS

In re Application of
Delaney
Application No.: 10/057,359
Filed: October 22, 2001
Attorney Docket No. 01-021
For: CYCLIC REDUNDANCY CHECKING
FOR MANAGING THE COHERENCY OF
MIRRORED STORAGE VOLUMES

DECISION GRANTING
PETITION

This is a decision on the petition under 37 CFR 1.10(c), filed July 8, 2002 (certificate of mailing date July 2, 2002), requesting that the above-identified application be accorded a filing date of October 22, 2001, instead of the presently accorded date of October 23, 2001.

Petitioner alleges that the application was deposited in "Express Mail" service with the U. S. Postal Service, on October 22, 2001. In support, petitioners provided a copy of the Express Mail label, receipt no. EV013245364US, showing a Date-In of October 22, 2001. The same Express Mail receipt number was referred to in the Application Transmittal Letter submitted with the original filing. Petitioner requests that the application be accorded a filing date of October 22, 2001.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on October 22, 2001.

In view of the above, the petition is **GRANTED**. As this is a feeless petition, no petition fee has been or will be charged.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs slightly from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

The application will be returned to the Office of Initial Patent Examination for further processing with a filing date of **October 22, 2001**. Afterwards, the application will be forwarded to

Technology Center 2100 for examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (703)308-6712.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is fluid and cursive, with the first letter "E" being large and stylized.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: LSI Logic Corporation
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